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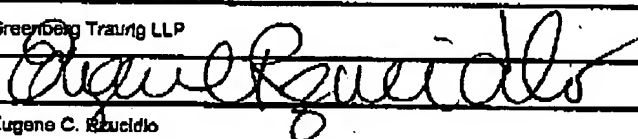
PTO/SB/21 (09-04)

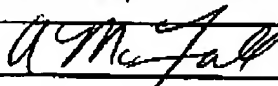
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/030,140	
	Filing Date	June 20, 2002	
	First Named Inventor	BABEJ, J.	
	Art Unit	3677	
	Examiner Name	Mitchell, K.	
Total Number of Pages in This Submission	4	Attorney Docket Number	64813.011500

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.62 or 1.63	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Communication to the Examiner Copy of Erfinderbenennung und Bibliographi-Mitteilung
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Greenberg Traurig LLP		
Signature			
Printed name	Eugene C. Rucidlo		
Date	August 25, 2005	Reg. No.	31,900

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Amy McFall	Date	August 25, 2005

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AUG 25 2005

Attorney Docket No.: 64913.011500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: BABEJ, J.

SERIAL NO.: 10/030,410

Group Art Unit: 3677

FILED: June 20, 2002

Examiner: Mitchell, K.

**FOR: FUNCTIONAL ELEMENT, METHOD FOR FIXING IT IN A SHEET METAL
PART, ASSEMBLING ELEMENT AND SWAGING ASSEMBLY****COMMUNICATION TO THE EXAMINER**

Applicant urges the Examiner to reconsider the objection made under 35 U.S.C. §102(f).

The Examiner's position apparently lies in the fact that DE 100 33 149 A1 names Andreas Trawinski, Osman Sari and Franz Bender as inventors. This is, however, incorrect. The German Patent Office made a mistake in printing the Offenlegungsschrift. Enclosed is a copy of the original "Erfinderbenennung" as filed at the German Patent Office quoting the file reference 100 33 149.1 and showing the inventor to be Jiri BABEJ.

Applicant complained to the German Patent Office about the incorrect naming of the inventor on the "Offenlegungsschrift" – the published application to which the US examiner is referring – and the German Patent Office subsequently issued a correction in the form of a "Bibliographie-Mitteilung" of February 16, 2001.

It is believed that all of the present claims are in condition for allowance. The Examiner is requested to reconsider and withdraw all of the rejections made in the Official Action. Early and favorable action by the Examiner is earnestly solicited.

AUTHORIZATION

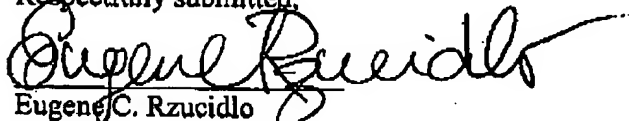
If the Examiner believes that issues may be resolved by telephone interview, the Examiner is respectfully urged to telephone the undersigned at (212) 801-2146. The undersigned may also be contacted by e-mail at ecr@gtlaw.com.

No additional fee is believed to be necessary. The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 50-1561.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 50-1561.

Dated: August 25 2005

By: Respectfully submitted,



Eugene C. Rzucidlo
Registration No. 31,900
Customer Number: 32361

10.08.2005 Fr 14:08

Ma: Finsterwald & Partner (+49 - 89 - 28 75 75)

ID: #49982 Seite 3 von 4

Erfinderbenennung

Die Erfinderbenennung muß auch erfolgen, wenn der Anmelder selbst der Erfinder ist. Ist der Anmelder Mitfinder, so ist er auch mitzubennennen.

Ämtliches Aktenzeichen (wenn bereits bekannt)

100 33 149.1

Bezeichnung der Erfindung (bitte vollständig)

Funktionselement, Verfahren zum Einbringen des Funktionselementes
in ein Blechteil, Zusammenbauteil und Stempelordnung

Erfinder (bei mehr als vier Erfindern bitte gesond. Blatt benutzen)

① Vor- und Zuname

BABEJ, Jiri

Anschrift

Klosterweg 27

35423 Lich / DE

② Vor- und Zuname

Anschrift

③ Vor- und Zuname

Anschrift

④ Vor- und Zuname

Anschrift

Das Recht auf das Patent ist auf den Anmelder übergegangen durch:

(z.B. Erfinder ist/ist d. Anmelder, Inanspruchnahme aufgrd. §§ 6 u. 7 ArbNErfG, Kaufvertrag mit Angabe des Datums, Erbschaft usw.)

Inanspruchnahme aufgrd. §§ 6 u. 7 ArbNErfG

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München

den 29.12.2000

Dr. Martin Finsterwald, Patentanwalt

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ID: #49882 Seite 4 von 4

Deutsches Patent- und MarkenamtMünchen, den 16.02.2001
Ferndurchwahl: (089)2195-2236

Deutsches Patent- und Markenamt 80267 München

Patent- und Rechtsanwälte
Manitz, Finsterwald
& Partner GbR
Postfach 221611

80506 München

Aktenzeichen: 100 33 149.1
Ihr Zeichen: P 3796 - R/sb
Anmeldernr.: 1146408
Profil Verbindungstechnik GmbH &
Co. KGPatent- und Rechtsanwälte
Manitz, Finsterwald & Partner

26.FEB.2001

Bearb.: _____ EF: _____
Frist: _____
Ablage: _____**Bibliographie-Mitteilung**

IPC Hk1	F16B 19/00	Akz 100 33 149.1
IPC Nk1	B23P 19/04	B21D 39/00
Ant	07.07.2000	
Pr1	30.07.1999 DE 199 35 923.7	
	09.07.1999 DE 199 32 023.3	
	16.04.2000 DE 100 18 716.1	
Bez	Funktionselement, Verfahren zum Einbringen des Funktionselementes in ein Blechteil, Zusammenbauteil und Stempelanordnung	
Anr 1146408	Profil Verbindungstechnik GmbH & Co. KG, 61381 Friedrichsdorf, DE	
Vnr 262226	Manitz, Finsterwald & Partner GbR, 80538 München	
Erf	Babej, Jiri, 35423 Lich, DE	

Hinweise

Folgende angekreuzte Unterlagen sind innerhalb einer Frist von
... Monaten

...-fach nachzureichen (§§ 4-6, 8 PatAnmV):

- () Druckfähige Zeichnungen () Patentansprüche () Beschreibung
() Zeichnung zur Zusammenfassung (§ 36 PatG)
() Weitere Anforderungen: Siehe gesonderter Bescheid
(✓) keine weiteren Anforderungen

Prüfungsstelle 11.24

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Hinweise auf der Rückseite!

12

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Dienstgebäude

Zur Dürschleier, 12 (München)

Neubau (für Fracht)

Telefon (089) 2195-0

Faxnummer